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9 Attorneys for USACM Liquidating Trust

10 **UNITED STATES BANKRUPTCY COURT**
 11 **DISTRICT OF NEVADA**

12 In re:

13 USA COMMERCIAL MORTGAGE COMPANY,
 14 USA CAPITAL REALTY ADVISORS, LLC,
 15 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
 16 LLC,

17 USA CAPITAL FIRST TRUST DEED FUND, LLC,

18 USA SECURITIES, LLC,

Debtors.

19 Case No. BK-S-06-10725-LBR
 20 Case No. BK-S-06-10726-LBR
 21 Case No. BK-S-06-10727-LBR
 22 Case No. BK-S-06-10728-LBR
 23 Case No. BK-S-06-10729-LBR

24 CHAPTER 11

25 Jointly Administered Under
 26 Case No. BK-S-06-10725 LBR

**Objection Of The USACM Liquidating Trust
 To Lowe Family Trust's Claim Asserting
 Secured Status**

Hearing Date: October 15, 2007
 Hearing Time: 9:30 a.m.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

19 Lowe Family Trust filed Proof of Claim No. 10725-02567 against USA
 20 Commercial Mortgage Company ("USACM"). The Proof of Claim asserts a secured
 21 claim. The USACM Liquidating Trust (the "USACM Trust") hereby objects to Lowe
 22 Family Trust's assertion that the claim is secured by a valid lien on USACM property and
 23 moves this Court, pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of
 24 Bankruptcy Procedure, for an order reclassifying Claim No. 10725-02567 as a general
 25 unsecured claim. The USACM Trust is not, by this filing, objecting at this time to any of
 26 the claims as unsecured claims or on grounds that the claims were untimely filed, but

1 reserves the right to do so. The basis for this Objection is fully explained in the USACM
2 Liquidating Trust's Motion for Summary Judgment Regarding (1) Responses to the
3 USACM Trust's First through Thirty-Third Omnibus Objections to Claims Asserting a
4 Secured Status; (2) Responses to the USACM Trust's First through Third Omnibus
5 Objections to Claims Asserting a Priority Status; And (3) Newly Alleged Secured And
6 Priority Claims (the "Motion"), filed today. The USACM Trust will serve a copy of the
7 Motion with this objection.

8 Dated: July 30, 2007.
9

10 **LEWIS AND ROCA LLP**

11 By: /s/ RC (#6593)

12 Susan M. Freeman, AZ 4199 (*pro hac vice*)

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